Committee on Resources

Subcommittee on Fisheries Conservation, Wildlife and Oceans

Statement

Testimony Of Mike Nussman

Vice President

American Sportfishing Association

Before the House of Representatives

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Mr. Chairman, I appreciate the opportunity to testify before the Subcommittee on behalf of the recreational fishing community. My testimony today addresses the National Marine Fisheries Service's (NMFS) "Final Rule" on the Fishery Management Plan for Highly Migratory Species of Atlantic Tunas, Swordfish, and Sharks. My comments specifically address the provisions outlined for yellowfin tuna and are endorsed by the more than 400 members of the American Sportfishing Association (ASA).

ASA is a non-profit trade organization whose members include fishing tackle manufacturers, boat builders, state fish and wildlife agencies, angler organizations, sport fishing retailers, and the outdoor media. For more than 50 years, ASA and its predecessor organizations have promoted the conservation of fishery resources and supported measures that improve the aquatic environment.

Background

As vice president of ASA and the U.S. Recreational Commissioner to the International Commission for the Conservation of Atlantic Tunas (ICCAT), I am pleased to provide the committee with some thoughts on yellowfin tuna management. As you know, yellowfin tuna and other large pelagic species are of extreme importance to recreational anglers and the sport fishing industry. Saltwater sport fishing is not only a popular leisure activity, it is also big business. In 1996,

approximately 10 million Americans spent just over 100 million days fishing in saltwater.

In pursuing their sport, saltwater anglers spent more than $8.5 billion at the retail level and generated some $25 billion in overall economic output. For decades, yellowfin tuna have contributed to this activity by being one of the most highly prized big game fishes. In total, NMFS estimates that marine recreational

angers harvested 234 million pounds of saltwater fish in 1997. To put this in some perspective, the total 1997 harvest for all U.S. fishermen, recreational and commercial, was about 10.1 billion pounds. In other words, recreational anglers caught approximately two percent of the total U.S. harvest in 1997.

To place my remarks in context, let me briefly review the history of the yellowfin tuna fishery. In the Atlantic ocean, yellowfin tuna, along with the other tunas, swordfish, and billfish are managed internationally by ICCAT and domestically by NMFS. Currently, the U.S. harvests only about six percent, or around 8,000 metric tons, of the Atlantic-wide yellowfin catch. Of that, recreational anglers account for about half of the total harvest.

Atlantic-wide, international catches of yellowfin tuna reached a historic high in 1990 of 183,710 metric tons. At that time, ICCAT's fishery science committee judged that yellowfin are close to the maximum sustainable yield. However, they warned that increased effort and efficiency by the existing fleet might raise mortality above sustainable levels. As a result, in 1993, ICCAT recommended "that there be no increase in the level of effective fishing effort exerted on Atlantic yellowfin tuna, over the level observed in 1992". Since then, landings of yellowfin tuna have decreased somewhat and stabilized at around the 135,000 metric tons. Yellowfin tuna are not considered overfished.

The majority of yellowfin (77 percent) are caught by foreign purse seiners and foreign longliners off the coast of Africa in the eastern Atlantic. A significant percentage of these are juvenile fish weighing less than the ICCAT minimum size of 3.2 kg established in 1973. For example, in 1997, 65.7 percent of all yellowfin caught were undersized, the vast majority of the illegal catch occurring in the eastern Atlantic where yellowfin spawn. In response to the 1993 ICCAT recommendation , the U.S. established a larger minimum size (27 inches) and a lower tolerance for undersized fish than was required internationally. Both the U.S. recreational and commercial sectors have been in compliance with the domestic standard.

The letter of invitation asked that I comment on the limited access measures affecting yellowfin tuna harvest as well as the recreational bag limit of three yellowfin per day. As you know, this provision is being litigated so at a minimum I can say its controversial. However, we should recognize that the entirety of

this rule is controversial. I understand a total of nine lawsuits have been brought against it.

To completely understand the reaction of the recreational community to the final rule, you have to look beyond the rule itself. Recreational anglers and the recreational industry they support have for many years felt that NMFS does not understand recreation, places little value on recreational fisheries, and has failed time after time to protect traditional recreational fisheries. We believe that limited access measures along with the three fish bag limit in the final rule continue this pattern.

History of the Management of Highly Migratory Species

Of the species managed under the final rule important to the recreational community, all but yellowfin tuna are overfished. This includes bluefin tuna, swordfish, and sharks. These species account for much of the big game fishing that historically has taken place along the Atlantic and Gulf coasts. For each of these species, sustainable recreational fisheries have existed in the past. Today, each of these fisheries is severely curtailed because of past management mistakes. Let me quickly review the history of the management for each species.

Bluefin Tuna

According to the Congressional Research Service, sport fishing for giant bluefin tuna originated about 100 years ago, and became popular in this country in the early 1900s. The Sharp Cup in Nova Scotia was a distinguished international bluefin tournament held from the early 1930s through the 1960s, with a peak landing of 1,760 fish in 1949. Many other tournaments were held throughout the northeastern U.S. until the fishery declined in the late 1960s. What caused the decline? Very simply, it was overfishing!

Commercial interest in fishing for western Atlantic bluefin tuna began in the late 1950s, when purse seine vessels began catching small bluefin for the canned market. Excessive catches by this fleet in the 1960s and early 1970s (over 5,000 metric tons in 1963 and 1964) combined with very large catches of giant bluefin by the Japanese longline fleet in the Gulf of Mexico in the late 1960s and 1970s (over 3,000 metric tons annually from 1977-1981) resulted in the stock being reduced to approximately 15 percent of the level necessary to provide the maximum sustainable yield (Figure 1). The stock remains at this level today and the recreational catch has been reduced to 20 percent of the U.S. quota, totaling about 260 metric tons. This allocation allows the 15,000 recreational vessels fishing for bluefin an opportunity to catch approximately 8,000 bluefin tuna during a short season. In contrast, the three owners of the U.S. purse seine fleet (five vessels) also are allocated approximately 20 percent of the U.S. quota. The inequity in the allocation scheme causes much distrust among recreational anglers.

Swordfish

The U.S. commercial fishery for swordfish began in the 19th century as a harpoon fishery off the New England coast. At the turn of the century, harvested fish averaged about 300 pounds with an occasional individual weighing in over 800 pounds. The recreational fishery started in the early 1900s with writers like the legendary Zane Grey capturing this ultimate big game challenge with his prose. Until the 1960s, large fish were the targets of the harpoon fishery and the recreational fishery. However, in the early 1960s, longline vessels began to target swordfish throughout the North Atlantic. Longlines, fishing lines stretching for many miles with thousands of baited hooks, are indiscriminate and catch fish of all sizes. As a result of this new gear, swordfish catches increased dramatically. Unfortunately, these catches were not controlled and resulted in significant overfishing. The average size of commercially caught swordfish declined from 266 pounds in 1963 to around 90 pounds today. This decline in average size is caused by fewer and fewer fish avoiding capture long enough to grow to maturity. Today, the average swordfish caught by the U.S. longline fleet is not large enough to spawn. NMFS captured the nature of problem very well in 1997 in Draft Amendment 1 to the Fishery Management Plan for Atlantic Swordfish where they stated:

the commercial harpoon fishery prevailed, (1) it took a sustainable amount of swordfish year after year, (2) only mature fish that had spawned several times were taken, and (3) it was fully compatible with a viable recreational rod and reel fishery. Today, the recreational and harpoon fisheries are gone and the commercial longline fishery is in decline. The reason is that large adult fish capable of spawning are rare."

Again, a once prolific recreational fishery was mismanaged and, as a result, has disappeared.

Sharks

Around World War II, a small commercial fishery began for sharks in the Atlantic targeting their liver, which was used in the production of vitamin A. However, by 1950, landings had declined because of the availability of synthetic vitamin A. From the 1950s through the mid-1980, the fishery for sharks was primarily recreational with only a small commercial harvest. The recreational harvest during the 1980s

averaged 365,000 fish annually, a level that approximates the maximum sustainable yield (Figure 2). In the mid 1980s, NMFS, without a formal stock assessment to justify their action, promoted the development of a directed commercial fishery for Atlantic sharks as underutilized species. Commercial shark harvests increased from an average of 25,000 fish per year from 1981-1986 to an average of 235,000 fish per year from 1987-1992, over a one thousand percent increase. This new commercial fishery when combined with the substantial recreational fishery that existed for sharks resulted in significant overharvest of the various species of sharks. This is particularly troubling since sharks are quite vulnerable to fishing pressure because unlike most fish, they have low reproductive rates and become mature at a late age.

NMFS made two weak attempts at addressing the overharvest problem with quotas and bag limit restrictions in 1993 and again in 1996. However, the stocks continued to decline. In the draft rule released last fall, NMFS proposed to ban all harvest of large coastal sharks by recreational anglers for a period of 40 years while continuing to allow the directed commercial harvest of sharks. The final rule was modified to allowed a very restrictive bag and size limit for recreational anglers as well as the continued commercial harvest. Nonetheless, NMFS's mismanagement of sharks has severely limited what was once a sustainable recreational fishery. **Yellowfin Tuna Comments**

So Mr. Chairman, I think it is clear why the recreational community distrusts NMFS and their management of important recreational species like bluefin tuna, swordfish, sharks and yellowfin tuna. But let me return to the question you asked,...What will be the impacts of the bag limit on recreational fishing for yellowfin tuna and the limited access measures on the commercial yellowfin fleet?

I believe the three fish bag limit will have very little impact on the conservation of yellowfin tuna. U.S. recreational anglers catch only about three percent of the total Atlantic harvest of yellowfin. And by NMFS own admission, fully 95 percent of the trip targeting yellowfin catch nine or fewer fish. On charter vessels, which usually carry six anglers along with a professional captain and a mate, 99.9 percent of the trips targeting yellowfin land 18 or fewer fish. In fact, NMFS, in the proposed rule released last year states "These data indicate that this alternative [the three fish bag limit] would have little ecological impact...". However, the rule will have an impact on recreational businesses that rely on yellowfin tuna. While the data support the fact that very, very few anglers land more that three yellowfin per day, NMFS ignored, or perhaps failed to understand that the opportunity to land more fish is a significant factor in anglers deciding to invest in a trip.

Finally, perhaps the most disturbing aspect of the rule is that NMFS is relying on the limited access measures in the rule to control the commercial harvest of yellowfin tuna. Given that bluefin tuna quotas are expected to remain at about the same low level for the foreseeable future, that commercial swordfish quotas are expected to be cut by more than 25 percent later this year, and that commercial shark quotas were cut in this same rule by more that 50 percent, a considerable amount of commercial fishing effort will be redirected this year. So despite the limited access measures in the rule, more commercial fishing effort will be available to be directed at yellowfin tuna. In the past, the commercial industry has shown that it is capable of adapting quickly to take advantage of new or unregulated fisheries. I believe that is where we are headed with yellowfin tuna unless NMFS adopts a commercial quota to maintain catch near the current level.

Summary

The sport fishing community is concerned that with the yellowfin tuna provisions contained in the "Final Rule" on the Fishery Management Plan for Highly Migratory Species of Atlantic Tunas, Swordfish, and Sharks, NMFS is continuing the same disheartening trend as its past management of other highly migratory

species. By imposing a three fish recreational bag limit without a comparable commercial quota, we fear the sport angler will be gradually displaced from this significant and important fishery. Furthermore, the major quota cuts called for for other highly migratory species, when coupled with the few restrictions placed on commercial yellowfin harvests, could lead to future unsustainable harvests and serious overfishing .

Mr. Chairman, I appreciate the opportunity to testify and look forward to answering any questions.

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